

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
SOUTHERN DISTRICT

SUPERIOR COURT

Docket No. 226-2021-CR-126

State of New Hampshire

v.

Julie Introcaso

STATE'S ASSENTED-TO MOTION TO EXTEND TIME TO SEEK INDICTMENT

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, with this assented-to motion to extend the time in which the State must obtain an indictment in this matter until May 21, 2021. In support of this motion, the State submits the following:

1. The defendant is currently charged with two felony counts of falsifying physical evidence, RSA 641:6, and two class A misdemeanor counts of tampering with public records or information, RSA 641:7. A dispositional conference is scheduled for May 27, 2021.

2. New Hampshire Rule of Criminal Procedure 8(d)(2) requires that the Court “dismiss without prejudice and vacate all bail orders in such cases in which an indictment has not been returned within 90 days of the complaint being filed.” However, the Court can extend the 90-day deadline upon a motion filed by the prosecution seeking an extension of time “and explaining why the extension is necessary.” Id.

3. Here, the defendant was arrested and charged on February 11, 2021. Accordingly, the 90-day period set forth in Rule 8(d)(2) would expire on May 12, 2021. The statewide multi-county grand jury that had been operational during the COVID-19 pandemic had

Granted



Honorable Charles S. Temple
April 15, 2021

**Clerk's Notice of Decision
Document Sent to Parties
on 04/20/2021**

been scheduled to meet the week of May 10, 2021. However, the State was recently made aware that the last meeting of the statewide grand jury will be the April session, and therefore May grand jury dates would again be scheduled by individual counties. The May session for the grand jury in Hillsborough-South is scheduled for May 19, 20, and 21, 2021, which is just beyond the State's 90-day deadline. Accordingly, the State seeks an extension in this case to the May 2021 grand jury, specifically until May 21, 2021.

4. Counsel for the defendant, Michael A. Delaney, Esquire, assents to the requested extension.

WHEREFORE, the State of New Hampshire respectfully requests that this Honorable Court:

- (A) Grant the State's assented-to motion;
- (B) Extend the State's grand jury indictment deadline to May 21, 2021; and
- (B) Grant such further relief as may be deemed just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

THE OFFICE OF THE ATTORNEY GENERAL

Date: April 15, 2021

/s/Geoffrey W.R. Ward

Geoffrey W. R. Ward, Bar #18367
Senior Assistant Attorney General
Chief, Criminal Justice Bureau

/s/Erin E. Fitzgerald

Erin E. Fitzgerald, Bar #268006
Assistant Attorney General

Office of the Attorney General
33 Capitol Street
Concord, NH 03301-6397
(603) 271-3671

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent to Michael A. Delaney and Amanda E. Quinlan, Esquires, counsel of record for the defendant.

/s/Geoffrey W.R. Ward

Geoffrey W. R. Ward